

LAND USE AND ZONING COMMITTEE

Minutes: April 19, 2007

The Land Use and Zoning Committee hereby find and determine that all formal actions were taken in an open meeting and that all deliberations of the Land Use and Zoning Committee, which resulted in formal action, were taken in a meeting open to the general public, in full compliance with applicable legal requirements of Section 121.22 of the Ohio Revised Code.

The meeting was called to order at 7:00 p.m.

The following members were present: Messrs. Haycox, Hazel, Hullihen, Morse, Terriaco, Welch and Messes. Diak and Garland.

Staff: David Radachy

There were nine cases.

Leroy Township Text Amendment to Section 30 – Site Plan Review

Leroy Township stated in their letter that the site plan language is in the book and they would like the review of the revised text. Staff believes that the revised language will replace the current text. If that is the case, Leroy Township should remove all of the section if they adopt the revised text. Staff asks Leroy Township to clearly state the fact that they are replacing a whole section with new language.

Staff recommends approval with the following recommendations:

1. Revised this section into Leroy Township Zoning Resolution format.
2. In section II, screening should be added to the section that starts out “Promotion of an integrated.....”
3. If landscaping integration is an important goal to be achieved through site plan review, then landscaping standards need to be added to section 23.
4. The informal review process is recommended, not required. Submitting to the Zoning Commission should be by mutual agreement between the Township and the applicant.
5. Language should be added to allow the Zoning Inspector to request technical assistance prior to the plan being submitted to the Zoning Commission for informal review.
6. Section V B should read “Documentation of variances must be submitted. Variances shall be granted prior to the application of site plan.”
7. Add right-of-way names to C3.
8. In the text, it should read LeRoy Township Zoning Commission.
9. In section VI D, add “if applicable” after Storm Water Management Department. Leroy is currently not a member of the SWMD.
10. Section VI F, Zoning Commission Actions, 1 C. ii and 2 should be moved into a new section titled “Actions by the Developer.”
11. Section VI F 3 should be in a section titled “Actions by the Zoning Inspector”.
12. Section IV F 4 should be added to section IV F 1 as subsection D.
13. The appeals process is defined by state law, it is not necessary to state in the resolution. Re-submitting a site plan with a proposal with modification is not an appeal. This language should be removed.

The Land Use and Zoning Committee added the following recommendations:

1. The text should reference the LeRoy Zoning Inspector as the LeRoy Township Zoning Inspector.
2. Setback information should also be included on the site plan.
3. Move #19, the reference to the Sanitary Engineer provides verification that water and sanitary sewer capacity exists, to #6 and #7, which deal with proposed sanitary and water facilities.
4. Add emergency vehicles have to be taken into consideration when designing a parking lot in design standards section, E 1 b.

Mr. Welch made a motion to recommend the changes with the suggestions of staff and the Committee.

Ms. Garland seconded the motion.

All voted "Aye".

Motion passed.

Perry Township Text Amendment to Section 409 – Signs

Perry Township stated in their letter that the site plan language is in the book and they would like the review of the revised text. Staff believes that the revised language will replace the current text. If that is the case, Perry Township should remove all of the section if they adopt the revised text. Staff asks Perry Township to clearly state the fact that they are replacing a whole section with new language.

Staff recommends that this not be accepted for the following reasons:

1. It is not a user-friendly code. It is very wordy, sections are repeated (temporary signs language), it contradicts itself at times, and it uses too many legal terms such as thereof, therefore, hereof. Tables and illustrations would help to make this section user friendly.
2. All references to "principal street" should be changed to "public right-of-way or ingress/egress easements" where applicable.
3. It is not necessary to state that compliance is required. It is in the resolution, so it implies required compliance.
4. This text amendment would allow electronic message signs in residential zones. Does the Township wish to allow this?
5. Temporary signs are limited to just construction or reconstruction signs. Temporary signs advertising for sale or lease over 4 sq. ft. and announcing events over 4 sq. ft. are not addressed in the code.
6. The language for signs for libraries, places of worship, museums, social clubs, or societies is being removed. These organizations will be limited to the maximum size in their districts. Residential is 4 sq. ft. The Faith Baptist Church and St. Cyprian's Church signs will become non-conforming.
7. Loretto Landings and Azalea Ridge both have two entrance signs. The township should allow two entrance signs without conditional permit.
8. Conditions for the proposed conditional use should be created for the 2nd, 3rd signs on the property.
9. ORC 519.21 states that the Township cannot put limitations on agriculture. Restrictions on placement for signs for any use are a health and safety issue. But, having the 10 acres

- and 500 feet would prohibit some farmers from putting up a sign more than 4 sq. ft. and may affect their business.
10. 409.08 B 4a is a blank check. The language would allow one free standing sign for each building or use on the property. One building, one sign, 10 buildings, 10 signs.
 11. Currently, Perry allows commercial uses in the industrial zones, but owners in the industrial zones are limited to just one sign. This gives an advantage to the owners of commercially zoned land. The Township should use one standard.
 12. 403.08 B 4b should be divided into two sections. One for corner lots and one for lots with frontage longer than 500 feet.
 13. Currently, Perry allows commercial uses in the industrial zones, but owners in the commercial zones are limited to one sq. ft. of signage per lineal foot. This gives an advantage to the owners of industrial zoned land. The Township should use one standard.
 14. The text should be gender neutral.
 15. The Township should create landscaping standards for signs. The current language is vague.
 16. Define sign, monument.

Mr. Morse made a motion to recommend that Perry Township rewrite the sign text with staff's suggestions.

Mr. Hazel seconded the motion.

All voted "Aye".

Motion passed.

Mr. Welch made a motion to adjourn.

Mrs. Garland seconded the motion.

Meeting ended at 7:30 P.M.